

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)

ART SHY, et al.,)	Case No. 3:92-cv-00333-WHR
)	
Plaintiffs,)	(District Judge Walter H. Rice)
)	
vs.)	
)	
NAVISTAR INTERNATIONAL)	
CORPORATION, et al.,)	
)	
Defendants.)	
)	
SUPPLEMENTAL BENEFIT)	
COMMITTEE OF THE NAVISTAR)	
INTERNATIONAL TRANSPORTATION)	
CORP. RETIREE SUPPLEMENTAL)	
BENEFIT PROGRAM,)	
)	
Intervenor-Plaintiff,)	
)	
v.)	
)	
NAVISTAR, INC.,)	
)	
Defendant.)	

NOTICE OF APPEAL

Notice is hereby given that Defendant Navistar, Inc. hereby appeals to the United States Court of Appeals for the Sixth Circuit from the District Court's March 6, 2014 Decision and Entry Overruling Navistar's Motion to Dismiss Intervenor-Plaintiff's Amended Complaint and Compel Dispute Resolution Process (Dkt. No. 446). Navistar only appeals the portion of the District Court's decision denying Navistar's motion to compel arbitration of the claims asserted in the Amended Complaint.

Respectfully submitted,

COOLIDGE WALL CO., L.P.A.

s/ David P. Pierce

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Admitted Pro Hac Vice as

One of the Attorneys for Defendants

Navistar International Corporation, et al.

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2014, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's CM/ECF and copies will be mailed via U.S. Mail to those parties to whom electronic notice has not been sent. Parties may access the filing through the Court's system.

s/ David P. Pierce

David P. Pierce